

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
COURT FILE NUMBER \_\_\_\_\_

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Craig Egbert,

Plaintiff,

**COMPLAINT**

v.

**JURY TRIAL DEMANDED**

American Accounts & Advisers, Inc.,

Defendant.

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1. Craig Egbert (“Consumer”) brings this action to address the violation of the Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. § 1692 *et seq.*, by American Accounts & Advisers, Inc. (“Debt Collector”).

**JURISDICTION, VENUE, AND PARTIES**

2. This United States District Court has jurisdiction over all FDCPA claims and federal questions. 15 U.S.C. § 1692k(d); 28 U.S.C. § 1331.
3. Venue is proper because a substantial part of the events giving rise to this claim occurred in Minnesota. 28 U.S.C. § 1391(b)(2).
4. Consumer is a natural person living in Chaska, MN who is a “consumer” as defined by 15 U.S.C. § 1692a(3).
5. Debt Collector is a Minnesota corporation with a registered address of 7460 80th Street, Cottage Grove, MN 55016. Debt Collector’s principal business and purpose is the collection of debts, making it a “debt collector” as

defined by 15 U.S.C. § 1692a(6).

**FDCPA REQUIREMENTS**

6. “A debt collector may not use any false, deceptive, or misleading representation or means in connection with the collection of any debt. Without limiting the general application of the foregoing, the following conduct is a violation of this section: . . . Communicating or threatening to communicate to any person credit information which is known or which should be known to be false, including the failure to communicate that a disputed debt is disputed.” 15 U.S.C. § 1692e(8).

**FACTS**

7. Consumer disputed a debt being reported against him by Debt Collector (the “Debt”) to Equifax, Inc. (“Equifax”). *See Dispute attached as EXHIBIT A*
8. Equifax reported Consumer’s dispute of the Debt to Debt Collector as required by the Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq.*
9. Debt Collector provided updated credit information regarding the Debt to Equifax without stating that Consumer had disputed it. *See Credit File attached as EXHIBIT B.*
10. Consumer’s credit report with Equifax continues to lack any indication that Consumer disputed the Debt.

**COUNT I: VIOLATION OF 15 U.S.C. § 1692e(8)**

11. Consumer incorporates all other allegations as if set forth herein in full.
12. Debt Collector violated 15 U.S.C. § 1692e(8) by communicating credit information regarding the Debt to TransUnion without indicating that Consumer had disputed it, thereby conveying false credit information.

13. Debt Collector's reporting violation makes it more difficult for Consumer to seek and receive financing.
14. Consumer has been forced to seek legal counsel in an attempt to correct Debt Collector's violation.
15. Consumer is entitled to actual damages in the amount to be determined at trial, statutory damages of \$1,000.00, the costs of this action, and reasonable attorney's fees from Debt Collector in an amount to be determined by the Court. 15 U.S.C. § 1692k.
16. Consumer reserves his right to move for punitive damages.

**JURY TRIAL**

17. Consumer demands a jury per U.S. Const. Amend. 7 and Fed. R. Civ. P. 38.

**PRAYER FOR RELIEF**

WHEREFORE, Consumer requests an Order for the following relief:

1. Judgment in favor of Consumer and against Debt Collector for actual damages in an amount to be determined at trial, \$1,000.00 in statutory damages, the costs of this action, and reasonable attorney's fees.
2. All other relief which the Court deems just and equitable.

Dated: 7/24/13

/s/ Bennett Hartz  
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